

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

) Mag. Case No. **'07 MJ 8841**

Plaintiff,

) COMPLAINT FOR VIOLATION OF:

v.

) Title 8, U.S.C., Section 1324 (a)(1)(A)(ii)
)) Illegal Transportation of Aliens

Ramon MACIAS-Colmenares (1)

) Title 18 U.S.C., Section 2-Aiding & Abetting
)) (Felony)

Mika DEBRA (2)

)

Beatrice ARANA (3)

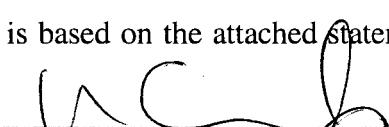
)

Defendants.

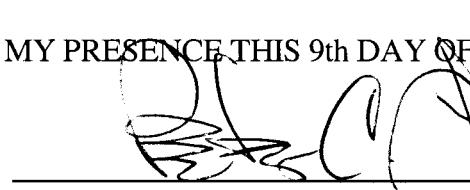
The undersigned complainant, being duly sworn, states:

On October 8, 2007, within the Southern District of California, defendants Ramon MACIAS-Colmenares, Mika DEBRA, and Beatriz ARANA with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Joana Elizabeth VAZQUEZ-Quesada, Hugo ROMERO-Lopez, and Jose Aristedes MARTINEZ-Ardon had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and Title 18, United States Code, Section 2-Aiding & Abetting (Felony).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Marco A. Miranda
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 9th DAY OF
OCTOBER 2007.


PETER C. LEWIS
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Ramon MACIAS-Colmenares (1)

4 Beatrice ARANA (2)

5 Mika DEBRA (3)

6 STATEMENT OF FACTS

7 The complainant states that this complaint is based upon statements in the investigative
8 reports by the apprehending agents, Border Patrol Agents A. Hernandez, Agent R. Esquives, K.
9 Geller, Agent O. Joanicot, Agent E. Serrano that on October 3, 2007, the defendants, Ramon
10 MACIAS-Colmenares (illegal alien and driver), Beatrice ARANA (U. S. Citizen, co-principle
11 #1), and Mika DEBRA (U. S. Citizen, co-principle #3), were apprehended near Ocotillo,
12 California. Ramon MACIAS-Colmenares was arrested as the driver of a 1995 gray Ford F-350
13 bearing California license plates 8J80588 as he smuggled ten (10) undocumented aliens from
14 Mexico and El Salvador, in violation of law.

15 Agents assigned to Jacumba Wilderness Mountains, observed as a group of eleven people
16 walked north through the Jacumba Wilderness Mountains. Agents observed as the group of
17 eleven suspected illegal aliens approached Interstate 8 and attempted to conceal themselves. As
18 the group reached Interstate 8 two vehicles, a sedan and pick up truck stopped on the side of
19 Interstate 8. The driver of the truck, a female, exited the truck and boarded the sedan and left the
20 scene. Agents observed as the suspected illegal aliens boarded the truck and proceeded eastbound
21 on Interstate 8.

22 Agent Serrano who was traveling eastbound on Interstate 8, using the emergency lights in
23 his service vehicle, Agent Serrano was able to perform a vehicle stop. Agent Esquives, who was
24 traveling behind Agent Serrano stopped and questioned the two occupants who were identified as
25 DEBRA and ARANA. DEBRA was driving the sedan and ARANA was the passenger sitting in
26 the front passenger seat. Agent Serrano continued eastbound to try and catch up with the pick up
27 truck.

28 Agent Hernandez, who was positioned near mile marker nineteen, observed as the pick up
29 matching the description of the vehicle involved in smuggling passed her location. Agent
Hernandez proceeded to follow the vehicle for approximately ten miles. Using the service

1 vehicle emergency lights and sirens, Agent Hernandez attempted to perform a vehicle stop. The
2 driver of the pick up truck ignored the lights and sirens and failed to yield and continued
3 eastbound on Interstate 8.

4 Agents deployed a Controlled Tire Deflation Device (CTDD), however, the Pick-up
5 continued eastbound. The Pick-up came to a stop approximately a mile or two later.

6 As the vehicle came to a stop on Forrester Road all eleven passengers fled the scene.
7 Agents approached the subjects and identified themselves as United States Border Patrol Agents.
8 Agents apprehended all of the occupants of the pick up truck and questioned them as to their
9 citizenship. All of the occupants admitted to being citizens of Mexico and El Salvador without
10 proper documentation to remain in the United States legally.

11 At the station, MACIAS was advised of his Miranda rights in the Spanish language and
12 witnessed by Agent Arredondo. MACIAS acknowledged understanding his rights.

13 At the station, Agent Joanicot interviewed Beatrice ARANA. ARANA was advised of
14 her Miranda rights and witnessed by Agent Arredondo. ARANA acknowledged understanding
15 her rights and was willing to answer any questions without an attorney present. ARANA stated
16 that she and her friend DEBRA picked up the truck and drove the truck to the mountains.
17 ARANA drove the truck westbound on Interstate 8 and turned eastbound on In Ko Pah Park
18 Road Exit and proceeded eastbound on Interstate 8. ARANA stated she dropped the truck off
19 the truck ^{where} ~~were~~ the group loaded up. ARANA said she left the truck there and got into DEBRA's
20 vehicle and left the scene until being stopped by Border Patrol.

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21 ARANA stated that she did know that the truck was being used to smuggle
22 undocumented aliens. ARANA also stated that she had been involved in alien smuggling on
23 August 30, 2006. ARANA stated that she was arrested on July 13, 2006 for alien smuggling.
24 ARANA said was being paid for driving the truck to the designated area, but that she was not
25 paid yet.

26 At the station, Agent Joanicot interviewed Mika DEBRA. DEBRA was advised of her
27 rights and witnessed by Agent Arredondo. DEBRA acknowledged understanding her rights and
28 was willing to answer any questions without an attorney present. DEBRA stated her friend
29 Vivian asked her to go with her to pick up a truck at Viejas Casino. DEBRA asked that Vivian

1 drove the car and followed her in the truck. DEBRA also said that she was to be given \$400 for
 2 her services. DEBRA was told to leave the truck on the side of the road and rejoin her in the car
 3 once this took place. DEBRA said that she followed Vivian as she drove the truck to the
 4 mountains. Vivian drove the truck westbound on Interstate 8 and turned eastbound on In Ko Pah
 5 Park Road Exit and proceeded eastbound on Interstate 8. She stated that Vivian dropped the
 6 truck off the truck were the group loaded up. DEBRA said Vivian left the truck there and got
 7 into Vivian's vehicle and left the scene until being stopped by Border Patrol.

8 Material Witnesses Joana Elizabeth VAZQUEZ-Quesada, Hugo ROMERO-Lopez, and
 9 Jose Aristedes MARTINEZ-Ardon stated they are citizens of El Salvador. VASQUEZ,
 10 ROMERO, and MARTINEZ, stated they all made arrangements to pay between \$1,700.00 and
 11 \$7,000.00 to be smuggled into the United States. VASQUEZ, ROMERO, and MARTINEZ
 12 stated they crossed illegally by walking through the mountains across the United States/Mexico
 13 International border.

14 VASQUEZ, ROMERO, and MARTINEZ were shown a six-pack photo lineup. They all
 15 positively identified MACIAS as the foot guide and driver of the gray colored pick-up that they
 16 were being smuggled in.

17 The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Joana Elizabeth VAZQUEZ-Quesada	El Salvador
Hugo ROMERO-Lopez	El Salvador
Jose Aristedes MARTINEZ-Ardon	El Salvador

23 Further, complainant states that Joana Elizabeth VAZQUEZ-Quesada, Hugo ROMERO-
 24 Lopez, and Jose Aristedes MARTINEZ-Ardon are citizens of a country other than the United
 25 States; that said aliens have admitted that they are deportable; that their testimony is material,
 26 that it is impracticable to secure their attendance at the trial by subpoena; and they are material
 27 witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to
 28 Title 18, United States Code, Section 3144.